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INTELLECTUAL PROPERTY LAW DEPARTMENT CASE LLC  
700 STATE STREET  
RACINE WI 53404

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**JUN 18 2003**

**OFFICE OF PETITIONS**

In re Application of  
Arshad et al.  
Application No. 09/872,895  
Filed: June 4, 2001  
Attorney Docket No. 13937

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: DECISION GRANTING PETITION  
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This is a decision on the petition under 37 CFR 1.53, filed June 12, 2003, requesting that the above-identified application be accorded a filing date of June 4, 2001, with Figure 4 described in the specification as part of the original disclosure.

On June 4, 2001, applicants filed the above-identified application. On February 25, 2003, the Office mailed a nonfinal Office action, stating that the application had been accorded a filing date of June 4, 2001, and advising applicants that Figure 4 appeared to have been omitted.

In response, on June 12, 2003, applicants filed the present petition and a copy of applicants' postcard receipt acknowledging receipt of 4 sheets of drawings (Figures 1-4) on June 4, 2001. Additionally, applicants submitted one sheet of drawings, containing Figure 4 with the present petition.

Upon review of the record, Figure 4, deposited on June 4, 2001, has not been located among the application papers. However, the evidence is convincing that the application papers deposited on June 4, 2001, included Figure 4, which was subsequently misplaced in the United States Patent and Trademark Office. Therefore, the application, including Figure 4, was complete on filing and will be granted a filing date of June 4, 2001.

Accordingly, the petition is granted.

The requirement for the submission of omitted drawing Figure 4 was sent in error and is hereby vacated. Accordingly, the petition fee is unnecessary and will not be charged to Deposit Account.

The application file is being forwarded to the Office of Initial Patent Examination for further processing with a filing date of June 4, 2001, using Figure 4 submitted with the

present petition. The Office records should indicate that 4 sheets of drawings were submitted on filing. Thereafter, the file will be forwarded to Technology Center 2800.

Any inquiries related to this decision should be directed to the undersigned at (703) 306-5589.

*Christina Tartera Donnell*

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